

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

WORKSCAPE, INC.,
Plaintiff,

v.

WORKSTREAM, INC.,
Defendant.

Civil Action No. 05-11481-MEL

**WORKSTREAM, INC.'S ASSENTED TO MOTION FOR
A SECOND EXTENSION OF TIME TO ANSWER OR OTHERWISE PLEAD**

Defendant Workstream, Inc. ("Workstream") hereby submits this assented to motion to extend the period of time until September 13, 2005 in which it has to answer or otherwise plead under F.R.C.P. with respect to the Complaint filed in this matter by Plaintiff Workscope, Inc.

In support thereof, Workstream states as follows:

1. Plaintiff Workscope, Inc. filed the Complaint in this case on or about July 13, 2005.
2. Summons was returned as executed on July 20, 2005.
3. On July 27, 2005, this Court entered an order extending the period of time until September 6, 2005 in which Workscope is to answer or otherwise plead in response to the Complaint.
4. Counsel for Workstream has contacted Workscope's counsel to seek an extension until September 13, 2005 for Workstream to answer or otherwise plead in response to the Complaint.
5. Counsel for Workscope has agreed to the requested extension.

6. Counsel for Workscape and Workstream have also agreed that Workscape shall have 45 days, *i.e.*, until October 28, 2005, to respond to any motion filed by Workstream pursuant to F.R.C.P. 12.

WHEREFORE, Workstream, Inc. respectfully requests that the Court grant this motion for an extension until (i) September 13, 2005 in which Workstream has to answer or otherwise plead in response to the Complaint pursuant to F.R.C.P. 12, and (ii) October 28, 2005, for Workscape to respond to any motion filed by Workstream pursuant to F.R.C.P. 12. Workstream requests that the Court enter the Order submitted herewith in accordance with its request.

Respectfully submitted,
DEFENDANT WORKSTREAM, INC.,
By Its Attorneys,

/s/ Christopher W. Sanzone
Christopher W. Sanzone, Esq. (BBO#633109)
John T. McCarthy, Esq. (BBO#641406)
SANZONE & MCCARTHY, LLP
888 Worcester Street, Suite 110
Wellesley, MA 02482
(781) 239-9989

Of Counsel (Admitted *Pro Hac Vice*):

Richard E. Lieberman, Esq.
Gary Y. Leung, Esq.
McGuireWoods LLP
77 West Wacker Drive, Suite 4100
Chicago, IL 60601

Dated August 30, 2005

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

WORKSCAPE, INC.,
Plaintiff,

v.

WORKSTREAM, INC.,
Defendant.

Civil Action No. 05-11481-MEL

**WORKSTREAM, INC.'S ASSENTED TO MOTION FOR
A SECOND EXTENSION OF TIME TO ANSWER OR OTHERWISE PLEAD**

Defendant Workstream, Inc. ("Workstream") hereby submits this assented to motion to extend the period of time until September 13, 2005 in which it has to answer or otherwise plead under F.R.C.P. with respect to the Complaint filed in this matter by Plaintiff Workscope, Inc.

In support thereof, Workstream states as follows:

1. Plaintiff Workscope, Inc. filed the Complaint in this case on or about July 13, 2005.
2. Summons was returned as executed on July 20, 2005.
3. On July 27, 2005, this Court entered an order extending the period of time until September 6, 2005 in which Workscope is to answer or otherwise plead in response to the Complaint.
4. Counsel for Workstream has contacted Workscope's counsel to seek an extension until September 13, 2005 for Workstream to answer or otherwise plead in response to the Complaint.
5. Counsel for Workscope has agreed to the requested extension.

6. Counsel for Workscape and Workstream have also agreed that Workscape shall have 45 days, *i.e.*, until October 28, 2005, to respond to any motion filed by Workstream pursuant to F.R.C.P. 12.

WHEREFORE, Workstream, Inc. respectfully requests that the Court grant this motion for an extension until (i) September 13, 2005 in which Workstream has to answer or otherwise plead in response to the Complaint pursuant to F.R.C.P. 12, and (ii) October 28, 2005, for Workscape to respond to any motion filed by Workstream pursuant to F.R.C.P. 12. Workstream requests that the Court enter the Order submitted herewith in accordance with its request.

Respectfully submitted,
DEFENDANT WORKSTREAM, INC.,
By Its Attorneys,

/s/ Christopher W. Sanzone
Christopher W. Sanzone, Esq. (BBO#633109)
John T. McCarthy, Esq. (BBO#641406)
SANZONE & MCCARTHY, LLP
888 Worcester Street, Suite 110
Wellesley, MA 02482
(781) 239-9989

Of Counsel (Admitted *Pro Hac Vice*):

Richard E. Lieberman, Esq.
Gary Y. Leung, Esq.
McGuireWoods LLP
77 West Wacker Drive, Suite 4100
Chicago, IL 60601

Dated August 30, 2005